IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 6878 of 2005

Between:

T. Madhubabu , S/o. T. Krishnama Naidu,
Lecturer in Law, S.V. Law College, Thanapalli Cross,
Tiruchanur Road, Tirupati, Chittoor District.

..... PETITIONER

AND

1 S.V . College Of Law, rep by its Correspondent,
Thanapalli Cross, Tiruchanur Road,
Tirupati, Chittor District.
2 Regional Director Of Higher Education, Cuddapah.
3 Government Of Andhra Pradesh, Higher Education Department,
Rep, By its Prl. Secretary to Government, Secretariat, Hyderabad.
4 A.P. State Council Of Higher Education, rep by its Secretary,
Saifabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ , order or direction , declaring the action of the 1st respondent in restraining him from discharging the duties as Lecture as illegal and contrary to Sections 79 and 83 of A.P .Education Act and the Rules made thereunder and consequently direct the respondents to continue him in service as Lecture in the 1st respondent college and pay salaries as per the UGC scales.

Counsel for the Petitioner: MR.N.SUBBA RAO

Counsel for the Respondents 1 to 3: GP FOR HIGHER EDUCATION

Counsel for the Respondent No.4: MR.S.ANAND

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the action of the first respondent in not allowing the petitioner to discharge his duties as a Lecturer in the first respondent College.

2. It is stated that the petitioner was appointed on 22-06-1999 as a Lecturer in the first respondent Law College on permanent basis and has been continuing as on today. However, without passing any orders, the petitioner is being prevented from discharging his duties as a Lecturer by the first respondent. Therefore, the petitioner made a representation to the respondents 2 to 4 on 20-08-2004, but no action has been taken, and even the second respondent, who is the competent authority under Section 79 of the A.P. Education Act, did not pass any orders on the representation of the petitioner. Hence, the present writ petition.

3. Heard the learned counsel for the petitioner and the learned counsel for the 4th respondent as well as the Government Pleader appearing for the respondents 2 and 3. Though notice served on the first respondent, none appeared.

4. As the petitioner made a representation to the second respondent, who is the statutory authority, if any illegal is action taken by the Management, who is expected to take appropriate action, did not pass appropriate orders on the representation of the petitioner complaining the illegality committed by the first respondent.

5 . Under the above circumstances, the second respondent is directed to dispose of the representation of the petitioner dated 20-08-2004 expeditiously, preferably, within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

15th June, 2005

Note:

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Furnish C.C. within one week.

B/o.

SKM

To

1 The Correspondent, S.V. College Of Law,

Thanapalli Cross, Tiruchanur Road,
Tirupati, Chittor District.

2 Regional Director Of Higher Education, Cuddapah.

3 The Prl. Secretary to Government, Government Of Andhra Pradesh,

Higher Education Department, Secretariat, Hyderabad.

4 A.P. State Council Of Higher Education, rep by its Secretary,
Saifabad, Hyderabad.

5. Two CCs to the G.P for Higher Education,

High Court Buildings, High Court of A.P.,

Hyderabad.

6. 2 CD copies

*Form-NIC-OGS/WP{**MPL**}*